

Application S/N 10/722,804
Amendment dated: January 8, 2007
Response to Office Action dated: August 30, 2006

CE12081JEM - Patino, et al.

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REMARKS/ARGUMENTS

Claims 1-15 remain pending in the application. In the Office Action, claims 1-12, 14 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,061,956 to Brown, et al. (Brown). Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of U.S. Patent No. 6,972,542 to Patino, et al. (Patino).

Independent claims 1, 8 and 9 have been amended to clarify that the controlling step includes activating the switch when the voltage level of the input power supply signal increases to reach the first predetermined threshold and deactivating the switch when the voltage level of the input power supply signal decreases to reach the second predetermined threshold. Support for the amendments can be found on page 6, lines 8-13, page 8 lines 5-18 and on page 9, lines 2-6. No new matter has been added in view of these amendments.

In contrast, the configuration of Brown is designed to work in the exact opposite fashion. In particular, "[u]pon detecting a high input power voltage condition, the voltage sensor 66 sends an over-voltage signal to the switch control via conductors 82 and 70 to cause the switch means 12 to become *non-conductive*" (see col. 8, lines 56-59) (emphasis added). Moreover, "[i]f the power voltage exceeds 29.0 volts d.c. charging terminates until the voltage falls below 28.5 volts" (see col. 8, lines 62-64). This technique would defeat the purpose of the claimed invention, namely to activate the charging switch when voltage increases to a predetermined threshold and deactivating the switch when voltage decreases to a predetermined threshold.

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In view of the above, Applicants believe that independent claims 1, 8 and 9 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are now patentable, in view of both their dependence from these claims and their independent patentability. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references. Moreover, it must be understood that the claims are not limited to the embodiments disclosed in the specification and that the reference numerals of the application that are used in the description above are merely intended to provide clarity to Applicants' arguments.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

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The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.


Respectfully submitted,

SEND CORRESPONDENCE TO:

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